HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3612 OF 1998.

Mahadev Eknath Girhe,
At Post: Shivnagar,
Tal: Daramadr, Dist: Pune. ..Petitioner.

Versus.

1. The M.D., Vasantrao Naik
Vimukta Jati & Normadic Tribe
Development Corp., Juhu Supreme
Shopping Centre, Gulmohar Cross Rd.No.9,
Vile Parle (West), Mumbai 49.

2 Vasantrao Naik
Vimukta Jati & Normadic Tribe
Development Corp., Juhu Supreme
Shopping Centre, Gulmohar Cross Rd.No.9,
Vile Parle (West), Mumbai 49.

3. State of Maharashtra,
Through Social Welfare Dptt.,
Mantralaya, Mumbai. ..Respondents.

Shri. Nitin Jamdar for the Petitioner- absent.

Shri. Ramdas P. Sabban for the respondent Nos. 1 & 2
- absent.

Shri. C. R. Sonawane, AGP for the Respondent -State.

CORAM: S.B.MHASE &
D.G.KARNIK, JJ.

DATE : JANUARY 19, 2006.

ORAL JUDGMENT (PER D.G.KARNIK, J.).

1. None present for the petitioner and respondent Nos. 1 & 2. Heard Shri.C.R.Sonawane, AGP for respondent No.3.

2. By this petition, the petitioner challenges the order of transfer dated September 1, 1998 transferring the services of the petitioner from the headquarters of respondent No.1 to Kolhapur. In the petition, the petitioner has alleged that previously he was suspended from service and that suspension was revoked subsequently. It is alleged that the order of transfer was issued by means of punishment as it was a mid-term transfer. In paragraph No.7 of the petition the petitioner has admitted that in the order of transfer it was mentioned that the order is administrative. No material has been placed before us to show that the order was passed as punishment. Ex-facie, the petitioner was transferred for administrative reasons. It cannot be doubted that the services of the petitioner are transferable and therefore could be transferred. In the absence of any satisfactory material to show that the order of transfer was passed by way of punishment, it cannot be said that the order of transfer is bad in law. For these reasons the petition is dismissed.

(D.G.KARNIK,J.) **(S.B.MHASE, J.)**